

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KIM MORTIMER; 60 91ST STREET  
CORPORATION,

Petitioners,

-against-

SHELLEY CHAPMAN, BANKRUPTCY  
JUDGE; HEIDI J. SORVINO, BANKRUPTCY  
TRUSTEE; U.S. MARSHAL OFFICE,

Respondents.

21-CV-0877 (CM)

ORDER DIRECTING PAYMENT OF FEE  
OR IFP APPLICATION

COLLEEN McMAHON, Chief United States District Judge:

Petitioner Kim Mortimer,<sup>1</sup> acting *pro se*, brings this application styled as a petition for a writ of mandamus. To proceed with a civil action in this Court, a petitioner must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

Petitioner submitted the petition for a writ of mandamus without the filing fees or an IFP application. Within thirty days of the date of this order, Petitioner must either pay the \$402.00 in fees or submit the attached IFP application. If Petitioner submits the IFP application, it should be labeled with docket number 21-CV-0877 (CM).

The Clerk of Court is directed to mail a copy of this order to Petitioner and note service on the docket. No answer shall be required at this time. If Petitioner complies with this order, the

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<sup>1</sup> A non-attorney cannot appear on behalf of a corporation. *See Lattanzio v. COMTA*, 481 F.3d 137, 139-40 (2d Cir. 2007). Petitioner 60 91st Street Corporation can proceed in this action only if represented by counsel.

case shall be processed in accordance with the procedures of the Clerk's Office. If Petitioner fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: February 1, 2021  
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON  
Chief United States District Judge